

03-20-01

Patent

Attorney Docket: 256/051

J1046 U.S. PTO
09/812067

03/19/01

To: Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL - UTILITY

Sir:

Transmitted herewith for filing is a **utility** patent application:**Inventor(s):** C. Kumar N. Patel and L. Ravi Narasimhan**Title:** Diagnostic Method for High Sensitivity Detection of Component Concentrations in Human Gas Emissions**I. PAPERS ENCLOSED HEREWITH FOR FILING UNDER 37 CFR § 1.53(b):**

- 38 Page(s) of Written Description
15 Page(s) Claims
1 Page(s) Abstract
9 Sheets of Drawings ☐ Informal ☒ Formal

II. ADDITIONAL PAPERS ENCLOSED IN CONNECTION WITH THIS FILING:

- ☐ Declaration
☐ Power of Attorney ☐ Separate ☐ Combined with Declaration
☐ Assignment to _____ and assignment cover sheet
☐ Certified Copy of Priority Document No(s):
☐ Information Disclosure Statement w/PTO 1449 ☐ Copy of Citations
☐ Preliminary Amendment
☒ Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35
☒ Return Postcard
☐ Other:

III. PRIORITY

- ☐ Priority of application Serial No. _____ filed on _____ in _____ is claimed under 35 U.S.C. § 119.

CERTIFICATE OF MAILING
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

EL533098902US

Express Mail Label No.

March 19, 2001

Date of Deposit

Rick Moreno

Name of Person Mailing Paper

Rick Moreno

Signature of Person Mailing Paper

IV. THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

<input checked="" type="checkbox"/> Applicant claims small entity status pursuant to 37 CFR § 1.27						
BASIC FILING FEE:						
Total Claims	56	-	20	=	36	x \$18.00 \$710.00
Independent Claims	9	-	3	=	6	x \$80.00 \$480.00
Multiple Dependent Claims	\$270	(if applicable)				<input type="checkbox"/> \$0.00
TOTAL OF ABOVE CALCULATIONS						\$1,838.00
Reduction by ½ for Filing by Small Entity, if applicable, as asserted above. Note 37 CFR §§ 1.9, 1.27, 1.28.						<input checked="" type="checkbox"/> \$919.00
Misc. Filing Fees (Recordation of Assignment -- \$40)						\$0.00
TOTAL FEES DUE HERewith						\$919.00

V. METHOD OF PAYMENT OF FEES

- ☐ A check in the amount of ____.
- ☐ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of ____.
- ☒ This application is being filed without fee or Declaration under 37 CFR § 1.53.

VI. AUTHORIZATION TO CHARGE FEES

The Commissioner is authorized to credit any overpayment and to charge any underpayment to Lyon & Lyon's Deposit Account No. **12-2475** for the following:

- ☐ 37 CFR § 1.16 – (Filing fees and excess claims fees)
- ☐ 37 CFR § 1.17 – (Any application processing fees)
- ☐ 37 CFR § 1.21 – (Assignment recording fees)

VII. CORRESPONDENCE ADDRESS

Please send all correspondence to Customer Number 22249:



22249

PATENT TRADEMARK OFFICE

LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

Please direct all inquiries to Coe A. Bloomberg, at the above customer number.

Respectfully submitted,

LYON & LYON LLP

Dated: March 17, 2001

By: Coe A. Bloomberg
Coe A. Bloomberg
Reg. No. 26,605

PTO/SB/35 (11-00)
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	C. Kumar N. Patel, et al.
Title	Diagnostic Method for High Sensitivity Detection of Component Concentrations in Human Gas Emissions
Atty Docket Number	256/051

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

03/19/2001

Date



Signature

David A. Randall, Reg. No. 37,217

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement. This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231